

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

XPOINT TECHNOLOGIES, INC.,

Plaintiff,

v.

MICROSOFT CORP., et al.,

Defendants.

Civil Action No. 09-CV-00628 (SLR)

STIPULATION AND ORDER FOR EXTENSION OF TIME

IT IS HEREBY STIPULATED by Plaintiff and Defendants Advanced Micro Devices, (“AMD”) and Alacritech, Inc., (“Alacritech”), subject to the approval of the Court, that:

1. AMD waives in the above-captioned case, any defenses or objections to personal jurisdiction, any defect in the Summons, and service of the Summons, August 21, 2009 Complaint, and September 18, 2009 Amended Complaint.
2. Alacritech waives in the above-captioned case, any defenses or objections to personal jurisdiction, any defect in the Summons, and service of the Summons and September 18, 2009 Amended Complaint.
3. AMD and Alacritech’s time to answer, move against or otherwise respond to the Amended Complaint in this action shall be extended to and including December 18, 2009.

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FRIEDLANDER, P.A.

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Attorneys for Defendant Alacritech, Inc.

SO ORDERED, this _____ day of _____, 2009.

Judge